

FILED

OCT 20 2020

Mark C. McCart, Clerk
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

In the Matter of the Search of

SUBJECT PARCEL: a sealed USPS Priority Mail Express Flat Rate Envelope measuring approximately 12 1/2" X 9 1/2", identified by tracking number EJ 416 374 443 US from Zip Code 91311, weighing approximately 3.1 ounces and postmarked October 14, 2020. The envelope's return address is "G family 18668 Remmet Ave Chatsworth, CA 91311" and is addressed to "Smallwood family 2016 W Ute St Tulsa, OK 74127"

Case No.

20-MJ-369-JFJ

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment "A"

located in the Northern District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See Attachment "B"

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:


Code Section
 21 U.S.C. § 841(a)(1)

Offense Description
 Possession With Intent to Distribute Controlled Substances

The application is based on these facts:

See Affidavit of Robert Firkin, attached hereto.

- ☒ Continued on the attached sheet.
☐ Delayed notice of ____ days (give exact ending date if more than 30 ____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Applicant's signature

Robert Firkin, United States Postal Inspector
 Printed name and title

Sworn to before me ^{by phone - gg} and signed in my presence.

Date:

10-20-20

City and state: Tulsa, OK Tulsa, Oklahoma


 Judge's signature

Jodi F. Jayne, U.S. Magistrate
 Printed name and title

AFFIDAVIT AND STATEMENT OF PROBABLE CAUSE

I, Robert Firkin, being duly sworn, do hereby depose and state:

1. Your Affiant is Robert Firkin, a duly qualified Inspector for the United States Postal Inspection Service (USPIS) who has over 12 years of law enforcement experience having been so employed by the USPIS since August of 2019. Prior to becoming an Inspector for the USPIS, your affiant was a deputy with the Stafford County Sheriff's Office (VA) for five years and a detective for the same for four years. Prior to the Stafford County Sheriff's Office, your affiant was an officer with the University of Georgia Police Department for one and a half years and an officer with the Atlanta Police Department (GA) for two years. Your affiant has received specialized training in the use of the U.S. Mails in narcotics investigations through the USPIS.

2. The information set forth in this Affidavit is known to me by other law enforcement personnel or through my own investigation.

3. This Affidavit is based upon the Affiant's personal investigation and upon information received from other law enforcement officers and agents and may not be inclusive of all evidence or information available, or of all facts known to me relative to this investigation. Rather, I have included facts which are necessary to establish probable cause that the parcel described herein contains controlled substances. This affidavit is made in support of an application for a search warrant to search and seize contraband, fruits, instrumentalities and evidence of crimes against the United States in violation of 21 U.S.C. § 841(a)(1) from a USPS Priority Mail Express Flat Rate Envelope originating in the city of Chatsworth, CA. It is more

specifically described as a sealed USPS Priority Mail Express Flat Rate Envelope measuring approximately 12 ½" X 9 ½", identified by tracking number **EJ 416 374 443 US** (herein referred to as "**subject parcel**"), from Zip Code 91311, weighing approximately 3.1 ounces and postmarked October 14, 2020. The envelope's return address is "G family 18668 Remmet Ave Chatsworth, CA 91311" and is addressed to "Smallwood family 2016 W Ute St Tulsa, OK 74127". The envelope is currently located at the USPIS Tulsa Domicile (Northern District of Oklahoma).

4. I am aware through training, as well as information from other Postal Inspectors with extensive experience in drug trafficking investigations the United States Mail is a common and preferred method for drug traffickers to ship their product. United States Express Mail and Priority Mail are frequently used by drug dealers for not only shipping illegal drugs, but also for shipping the proceeds and money from illegal drug sales and purchases. Use of the United States Mail is favored because of the speed, reliability, and low cost of this service, as well as the perceived minimal chance of detection of illegal drugs, money, or financial instruments shipped in such a manner.

5. I am also aware that drug traffickers often use fictitious return addresses and names on return addresses, as well as real names and real addresses, with or without the actual person's knowledge or consent, to avoid detection in the event the parcel is intercepted by law enforcement officers. Parcels containing controlled substances often provide minimal information on the mailing label to avoid detection of a fictitious name or return address. Traffickers normally use heavy tape on the seams and corners of a parcel and have been known to use sealed containers and masking scents, to interfere with any drug detection canine's ability

to detect the narcotics. It is common for traffickers to mail parcels from a different post office than the one located in the Zip Code area used on the return address, also to avoid detection of fictitious information.

6. On the evening of October 14, 2020, Oklahoma City based Inspector Brian Hess alerted your affiant to the **subject parcel** being processed in California in preparation to be mailed to the address in Tulsa, Oklahoma. A review of postal business records showed the payment for the mailing of the **subject parcel** to have been made in cash.

7. Early on the morning of October 15, 2020, your affiant responded to the USPS Processing and Distribution Center in Tulsa, located at 2132 S 91st E Ave Tulsa, OK. Your affiant located and took possession of the **subject parcel**.

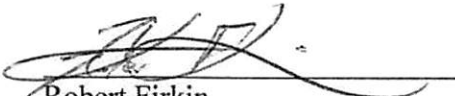
8. Your affiant researched the **subject parcel's** return address of 18668 Remmet Ave Chatsworth, CA 91311. According to an address verification tool on USPS.com and records in CLEAR, the return address is not a valid address.

9. On September 10, 2020, and October 13, 2020, your affiant executed search warrants on two separate Priority Mail Express Flat Rate Envelopes mailed from Chatsworth, California to addresses in Tulsa, Oklahoma. Each of these parcels had the handwritten sender name of "G family" and each were found to contain several ounces of blue pills marked as oxycodone in sealed plastic packaging.

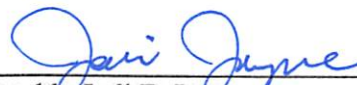
10. On August 12, 2020, your affiant executed a search warrant on a Priority Mail Express Flat Rate Envelope mailed from Chatsworth, California to 2016 W Ute St Tulsa, OK 74127. The parcel had a handwritten sender name of "D family" and was found to contain approximately 28.47 grams of blue pills marked as oxycodone.

11. On October 19, 2020, your affiant contacted TPD Narcotics Detective David Wamsley and his narcotics K-9, "Loki." The **subject parcel** was placed amongst a variety of USPS material to include, but not limited to, mop heads, deicing salt, and filing cabinets on the workroom floor of the USPS Downtown Station, 333 West 4th Street, Tulsa, OK 74101. Detective Wamsley ran Loki over the material and the **subject parcel** and advised your affiant that Loki alerted on the **subject parcel**. Detective Wamsley advised that he has been a certified dog handler for the TPD since October of 2000. Detective Wamsley advised that Loki is certified through the State of Oklahoma in the detection of narcotics odors, including marijuana, cocaine, heroin, and methamphetamine. Detective Wamsley advised that based on Loki's alert, he believes that the **subject parcel** contains illegal drugs, in violation of federal law.

13. Based on the foregoing, I believe there is evidence to show the **subject parcel** as described in paragraph three, was sent via the USPS in violation of 21 U.S.C. § 841(a)(1) and respectfully request a warrant be issued authorizing the USPIS to search and seize the mailing package as well as any controlled substances or items of dominion or control inside the package.


Robert Firkin
Inspector
United States Postal Inspection Service

Sworn and subscribed to before me this 19th day of October 2020.


Honorable Jodi F. Jayne
United States Magistrate Judge
Northern District of Oklahoma

ATTACHMENT "A"

SUBJECT PARCEL: a sealed USPS Priority Mail Express Flat Rate Envelope measuring approximately 12 ½" X 9 ½", identified by tracking number EJ 416 374 443 US from Zip Code 91311, weighing approximately 3.1 ounces and postmarked October 14, 2020. The envelope's return address is "G family 18668 Remmet Ave Chatsworth, CA 91311" and is addressed to "Smallwood family 2016 W Ute St Tulsa, OK 74127"

ATTACHMENT "B"

Any controlled substances and evidence constituting ownership and intent to possess controlled substances and possess controlled substances with intent to distribute under Title 21, United States Code, Section 841.